


AFFIDAVIT

STATE OF ALABAMA
Shelby COUNTY

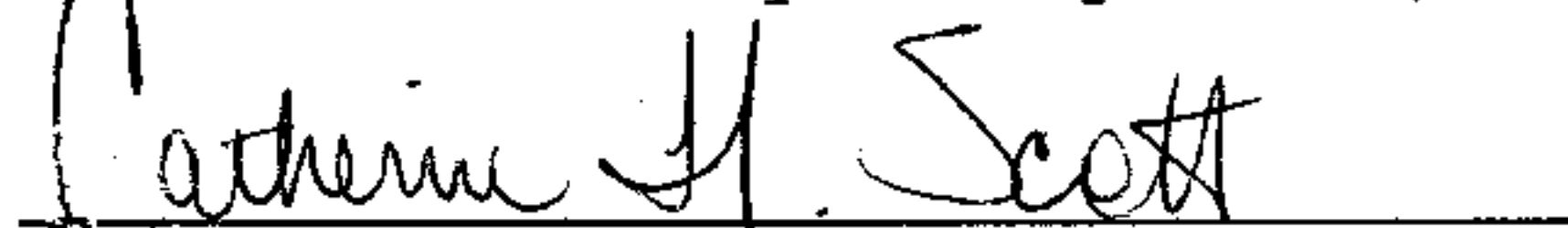
Before me, the undersigned authority in and for said County and State personally appeared John R. Holliman whose name is signed to this affidavit and who is known to me and who first being duly sworn, deposes and says as follows:

My name is John R. Holliman. I am a practicing attorney in Pelham, Al. On the 27th day of April 1999, I prepared and a mortgage from Donald H. Gardner to New South Federal Savings Bank. Said mortgage was recorded in Shelby County in Instrument #1999/24827. Said mortgage should have contained the statement "The property being mortgaged does not constitute the homestead of the mortgagor or his spouse."

In Witness Whereof, I have unto set my hand and seal on this the 16th day of September, 1999.


Affiant

Sworn to and subscribed before me
this the 16th day of September, 1999.


Notary Public

My commission expires: 8-3-02

Inst # 1999-39207

09/20/1999-39207
10:30 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 CJ1 8.50